IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 3096/2003

M/s PAWAN KUMAR AMIT KUMAR
Vs.
STATE OF RAJASTHAN & ORS.

DATE: 31.10.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. Ajay Tantia for the petitioner.
Mr. Inderjeet Singh for the respondents.

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This writ petition is filed by the petitioner seeking writ, order or direction directing the respondents that since the respondents are having 12 vacant shops/plots with them, the petitioner who is also an applicant, be considered for allotment and he may be allotted plot/shop as per the application submitted.

Learned counsel appearing for the petitioner submits that similar controversy has been decided by the co-ordinate Bench of this Court in S.B.C.W. Petition No. 3110/2003- M/s Ramesh & Sons Vs. State of Rajasthan & Ors., dated 19.03.2007, wherein also the petitioner applied for allotment of shop before the Mandi Samiti, Khairthal under the Rajasthan Agricultural Produce Markets Act, 1961.

I have gone through the aforesaid judgment, wherein the co-ordinate Bench has observed that the respondents may consider the application of the petitioner also if plot is still exist and in case the petitioner is found suitable allotment letter be issued accordingly.

In the instant writ petition also, the petitioner in the relief clause, has submitted that 12 shops/plots are vacant, which is strongly opposed by the learned counsel appearing for the respondents.

Be that as it may. As the petitioner already moved an application for seeking allotment of the shop/plot, the same be considered by the respondents and if any plot/shop is still vacant and the petitioner is otherwise found suitable in accordance with the provisions of law, the same may be allotted in favour of the petitioner.

With these observations, the writ petition stands disposed of accordingly.

(K.S. RATHORE),J.

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